

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 6547 of 2019**

- Vickki Kosle S/o Ramswarup Kosle Aged About 20 Years R/o Village Mohkam, Thana Tumgaon, Tahsil And District Mahasamund, Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Tumgaon, District Mahasamund, Chhattisgarh.

---- Respondent

For Applicant	:	Mr. Vikas Pradhan, Advocate.
For Respondent	:	Mr. B.L. Sahu, P.L.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****20/12/2019**

- The accused/applicant has moved this first bail application under Section 439 of the Code of Criminal Procedure for releasing him on regular bail during trial in connection with Crime No. 199/2019 registered at Police Station Tumgaon, District Mahasamund (C.G.) for the offence punishable under Sections 363, 366, 376 of IPC and Sections 4 & 6 of Protection of Children from Sexual Offences Act, 2012.
- According to the prosecution story, allegation against the present applicant is that he has committed sexual intercourse with the prosecutrix upon the pretext of marriage. On that basis, FIR has been registered against the applicant and he has been arrested.
- Learned counsel appearing on behalf of the applicant submits that the applicant is innocent and has been falsely implicated in the case. He further submits that there was love affairs between applicant and prosecutrix. The applicant is in custody since

18.06.2019 and trial will take some time, therefore, he may be released on bail.

- Per contra, learned counsel appearing on behalf of the State opposes the bail application.
- I have heard learned Counsel for the parties.
- Considering the facts and circumstances of the case, the detention period of the applicant and further considering the fact that as prosecutrix is above 16 years and there was a love affair between the applicant and prosecutrix, trial is likely to take some time, without further commenting on merits of the case, I am inclined to release him on bail.
- Accordingly, the bail application is allowed.
- It is directed that the applicant shall be released on bail on executing a personal bond for a sum of Rs. 25,000/- with one surety for the like amount to the satisfaction of the trial Court for his appearance before the said Court as and when directed.

Sd/-
(Rajani Dubey)
Judge